

FITCH, EVEN, TABIN & FLANNERY

ATTORNEYS AND COUNSELLORS AT LAW

Established in 1859

SUITE 1600 - 120 SOUTH LA SALLE STREET

CHICAGO, ILLINOIS 60603-3406

TELEPHONE (312) 577-7000

FACSIMILE (312) 577-7007

DATE: 1/22/04

NO. OF PAGES: Cover + 17

FROM: Joseph E. Shipley

DISPATCHED BY: J. Palomar

OUR FILE NO.: 5497/70255

TO: Name: Toni Hood - Examiner
Company/Firm: U.S. Patent and Trademark Office
City/State/Country: Alexandria, VA
Facsimile No.: (703) 578-6812

MESSAGE: Copy of RCE and IDS with reference.

The documents accompanying this facsimile transmittal cover sheet contain information from the law firm of Fitch, Even, Tabin & Flannery which may be confidential and/or legally privileged. The documents are intended only for the personal and confidential use of the addressee identified above. If you are not the intended recipient or an agent responsible for delivering these documents to the intended recipient, you are hereby notified that any review, disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmitted information is strictly prohibited. If you have received this facsimile in error, please immediately notify the Firm so that we can arrange for the return of the original documents to us. Thank you.

Inventors: BLACK et al. **Atty Docket.No.** 5497/70255

Title: Auto Rack Railway Car

Filed: June 26, 2001 **JES/jp**

Application No.: 09/891,774 **Date Mailed:** September 9, 2003

Transmitted herewith: (1) Request for Continued Examination (2 pages in duplicate); (2) Information Disclosure Statement (1 page, in duplicate); (3) PTO/SB/OBA Form (1 page, in duplicate); (4) 1 Cited Reference; (5) Return Receipt Postcard.

Hon. Commissioner of Patents and Trademarks

Sir:

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,
FITCH, EVEN, TABIN & FLANNERY

MATCH & RETURN

Inventors: BLACK et al. **Atty Docket.No.** 5497/70255

Title: Auto Rack Railway Car

Filed: June 26, 2001 **JES/jp**

Application No.: 09/891,774 **Date Mailed:** September 9, 2003

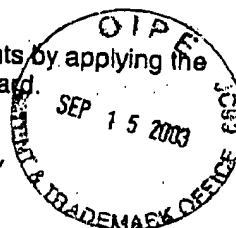
Transmitted herewith: (1) Request for Continued Examination (2 pages in duplicate); (2) Information Disclosure Statement (1 page, in duplicate); (3) PTO/SB/OBA Form (1 page, in duplicate); (4) 1 Cited Reference; (5) Return Receipt Postcard.

Hon. Commissioner of Patents and Trademarks

Sir:

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,
FITCH, EVEN, TABIN & FLANNERY



PATENT

Attorney Docket No. 70255

#16
88
3/18/**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. §1.114**

Appln No.: 09/891,774
Filed: June 26, 2001
First Named Inventor: BLACK et al.
Title: AUTO RACK RAILWAY CAR
Group Art Unit: 3683
Examiner: B. Pezzlo

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

9/09/03
Date

Joseph E. Stipley
Registration No. 31,137
Attorney for Applicant(s)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) of the above-identified application under 37 C.F.R. §1.114.

1. **Submission required under 37 C.F.R. §1.114:**

a. **Previously submitted:**

- ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on ____.
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____.
- ☐ Other:

b. **Enclosed:**

- ☐ Amendment/Reply
- ☐ Affidavit(s)/Declaration(s)
- ☒ Information Disclosure Statement (IDS)
- ☐ Other:

Match and Return

Attorney Docket No. 70255

2. Additional Items:

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. *(Period of suspension shall not exceed three months; fee under 37 C.F.R. §1.17(i) required.)*
- ☐ A petition for extension of time is enclosed.
- ☒ A return receipt postcard is enclosed.
- ☐ Other: _____
- ☐ Applicant(s) assert entitlement to Small Entity Status (37 C.F.R. § 1.27).
- ☒ RCE Fee required under 37 C.F.R. § 1.17(e) without a claim of small entity status is: \$750.00.
- ☐ RCE Fee required under 37 C.F.R. § 1.17(e) by an entity claiming small entity status is: _____.
- ☐ A check in the amount of \$_____ is enclosed.
- ☒ Charge \$ 750.00 to Deposit Account No. 06-1135.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in duplicate.

September 9, 2003
Date



Joseph E. Shipley

Registration No. 31,137

FITCH, EVEN, TABIN & FLANNERY
Suite 1600
120 South LaSalle Street
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007